

EXHIBIT 2

THOMAS R. SUDZSI
COUNTY EXECUTIVE



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October 2, 2007

Michael Chertoff
Secretary of the Department of Homeland Security
Department of Homeland Security
Washington, D.C. 20536

Dear Mr. Chertoff:

I bring to your attention serious allegations of misconduct and malfeasance committed by Immigration and Customs Enforcement personnel in executing arrest warrants in various Nassau County communities on September 24 and 26, 2007. I ask that you investigate the allegations and advise me of your written findings.

The immigration laws of the United States should be enforced and I fully support the execution of lawfully issued arrest warrants in Nassau County, particularly for known gang members. I condemn, however, any tactical actions which cross the lines of legality and law enforcement best practices.

In order to facilitate an appropriate inquiry, enclosed is a copy of Nassau County Police Commissioner Lawrence W. Mulvey's September 27, 2007 letter to Joseph A. Palmese, the Resident Agent in Charge of the Immigration and Customs Enforcement ("I.C.E.") office located in Bohemia, New York. A portion of the letter has been redacted so as not to interfere with planned I.C.E. operations. Commissioner Mulvey's letter raises important issues as to how I.C.E. personnel, in the presence of Nassau County police officers, conducted themselves, including these observations:

- "The operation on Monday lacked current intel." I.C.E. officials failed on three occasions to check the names and addresses of their arrest targets against the Nassau County Police Department's Gang Intelligence Files. The result was that many wrong residential addresses were raided and in one instance I.C.E. sought a 28 year old defendant using a photograph taken when he was a 7 year old boy. Of the reported 82 Nassau County arrests, our police records indicate that 8 are active gang members and 1 is a gang associate.
- "Tactically the operation was structured poorly." The federal operation utilized border patrol personnel from around the country who had not trained together for this complex mission. "[S]ome [I.C.E.] members wore cowboy hats and in the view of some of my members displayed a 'cowboy' mentality. This, in my view,

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posed unnecessary danger to all parties, including my members, who in fact were drawn upon by some of the agents."

I know you agree that these are serious allegations and deserve a serious and prompt response.

Thank you

Very truly yours,

Tom

Thomas R. Suozzi
County Executive

Cc: Julie Meyers, Assistant Secretary for I.C.E.
Roslynn Maskopf, United States Attorney for the Eastern District
Kathleen Rice, Nassau County District Attorney